

Remarks:

Reconsideration of the application is requested.

Claims 1-35 are now in the application. Claims 1, 2, 13, 22, and 24 have been amended, and claims 31-35 have been added.

Support for the changes to claim 1 regarding the language "based on" can be found by referring to claim 22, last paragraph. It should be clear from the disclosure as a whole that a data network is involved (See page 2, line 25, for example). Support for the changes to claim 2 can be found by referring to the specification at page 29, lines 11-13. Claim 13 has been amended to clarify that the steps are performed at the same time and support for the change is believed to be inherent in the claim as originally presented (one time - same time). Claim 22 has been restricted to a data network. It should be clear from the disclosure as a whole that a data network is involved (See page 2, line 25, for example). Support for the changes to claim 24 can be found by referring to the drawing figures.

Support for added claims 31 and 34 can be found by referring to claims 1, 18, and 28 as originally filed. Support for added claims 32 and 35 can be found by referring to page 9, line 25 through page 10, line 5. Support for claim 33 can be found by referring to page 10, line 7 through page 11, line 8.

In item 2 on page 2 of the Office action, claims 1-4, 12, and 21 have been rejected as being anticipated by Focsaneanu et al. (5,610,910) under 35 U.S.C. § 102. Applicants respectfully traverse.

Claim 1 has been amended to define a method of routing in a data network, and several steps refer back to the data network.

In contrast, Facsanesnu involves an access module to be used within a circuit switched telecommunications network. In contrast to a data network, especially IP data network, there is no independent transmission of data packets via a network line. Focsaneanu discloses an ATM data network. However, an ATM data network is a special form of a data network to be used with a circuit switched telecommunication network for an efficient transport of data. Therefore, Facsanesnu provides a method and apparatus for separating voice or data traffic at the CPE with the Access Module and forward it to the according voice or data networks. The result of this separation is a more efficient transport of the traffic.

The access module of Focsaneanu receives data only via circuit switched connections. These data are transported via further circuit switched connections or via a data network. There is

no receipt of data packets in this transport direction. When receiving data or signals in the other direction, such data signals are passed on via circuit switched connections, i. e. there is not passing on of data packets (Claim 1, for example, includes a step of passing on the data packet to a next network node on the determined route based on the information).

One of ordinary skill in the art would recognize that Facsoneanu is concerned with circuit switched telecommunication networks and not with data networks like that of present invention. One of ordinary skill in the art would recognize that the present invention is concerned with data networks and not with circuit switched networks. Focsaneanu does not teach the claimed invention.

Furthermore, the present invention relates to a method including steps of: receiving a data packet, determining a route to be used for passing on the data packet and then passing on the data packet. Since, these steps are not shown in Focsaneanu, claim 1 should be allowable.

In item 5 on page 4 of the Office action, claims 5-11 have been rejected as being obvious over Focsaneanu et al. (5,610,910) in view of Dobbins et al. (6,147,995) under 35 U.S.C. § 103. Applicants respectfully traverse.

Claims 5-11 are patentable for the reasons specified above with regard to claim 1.

In item 6 on page 5 of the Office action, claims 13, and 15-17 have been rejected as being obvious over Focsaneanu et al.

(5,610,910) in view of Liao et al. (6,292,833) under 35 U.S.C. § 103. Applicants respectfully traverse.

Claims 13, and 15-17 are patentable for the reasons specified above with regard to claim 1.

In item 7 on page 6 of the Office action, claim 18 has been rejected as being obvious over Focsaneanu et al. (5,610,910) in view of under 35 U.S.C. § 103. Applicants respectfully traverse.

Claim 18 is patentable for the reasons specified above with regard to claim 1.

In item 8 on page 7 of the Office action, claims 19 and 20 have been rejected as being obvious over Focsaneanu et al. (5,610,910) in view of Christie (5,991,301) under 35 U.S.C. § 103. Applicants respectfully traverse.

Claims 19 and 20 are patentable for the reasons specified above with regard to claim 1.

In item 9 on page 7 of the Office action, claims 22-25 and 30 have been rejected as being obvious over Focsaneanu et al.

(5,610,910) in view of Strentzsch et al. (6,256,671) under 35 U.S.C. § 103. Applicants respectfully traverse.

Claim 22 defines an apparatus for routing data packets in a data network, comprising:

a processor for receiving, processing, and passing on the data packets;

a first storage operatively connected to said processor for storing supplemental information relating to at least one of a user and services existing in the network;

a second storage operatively connected to said first storage for storing administrative information;

a mapper operatively connected to said first storage for determining a mapping of logic computer names on network addresses and vice versa; and

a router operatively connected to said processor for determining a route for each of the data packets, on the basis of information gathered from the data packets and the stored supplemental information, said router determining at least one node through which the route passes.

In contrast to the invention defined by claim 22, Facsanesnu involves an access module to be used within a circuit switched telecommunications network. In contrast to a data network, especially IP data network, there is no independent transmission of data packets via a network line. Focsaneanu discloses an ATM data network. However, an ATM data network is a special form of a data network to be used with a circuit switched telecommunication network for an efficient transport of data. Therefore, Facsanesnu provides a method and apparatus for separating voice or data traffic at the CPE with the Access Module and forward it to the according voice or data networks. The result of this separation is a more efficient transport of the traffic.

The access module of Focsaneanu receives data only via circuit switched connections. These data are transported via further circuit switched connections or via a data network. There is no receipt of data packets in this transport direction. When receiving data or signals in the other direction, such data

signals are passed on via circuit switched connections, i. e.
there is not passing on of data packets

One of ordinary skill in the art would recognize that
Facsoneanu is concerned with circuit switched
telecommunication networks and not with data networks like
that of present invention. One of ordinary skill in the art
would recognize that the present invention is concerned with
data networks and not with circuit switched networks.

Because of the deficiency of Focsaneanu, one of ordinary skill
in the art considering Focsaneanu in view of Strentzsch could
not possibly have obtained a suggestion for the invention
defined by claim 22.

In item 10 on page 8 of the Office action, claims 14 and 26-29
have been rejected as being obvious over Focsaneanu et al.
(5,610,910) in view of Lang et al. (6,188,683) under 35 U.S.C.
§ 103. Applicants respectfully traverse.

Claims 14 and 26-29 are patentable for the reasons specified
above with regard to claims 1 and 22, respectively.

It is accordingly believed to be clear that none of the
references, whether taken alone or in any combination, either
show or suggest the features of claims 1 or 22. Claims 1 and

22 are, therefore, believed to be patentable over the art and since all of the dependent claims are ultimately dependent on claims 1 or 22, they are believed to be patentable as well.

In view of the foregoing, reconsideration and allowance of claims 1-35 are solicited.

In the event the Examiner should still find any of the claims to be unpatentable, he is respectfully requested to telephone counsel so that, if possible, patentable language can be worked out.


Petition for extension is herewith made. The extension fee for response within a period of two-months pursuant to Section 1.136(a) in the amount of \$410.00 in accordance with Section 1.17 is enclosed herewith.

A fee in the amount of \$90.00 for presenting five additional claims has been enclosed.

Please charge any other fees which might be due with respect to Sections 1.16 and 1.17 to the Deposit Account of Lerner and

Greenberg, P.A., No. 12-1099.

Respectfully submitted,



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Thomas Ruban et al.
Applic. No. : 09/343,859
Filed : June 30, 1999
Title : Method And Apparatus For Routing In A
Communication Or Data Network, Or In A
Network Of Communication And Data Networks
Examiner : Melanie Jagannathan
Group Art Unit : 2661

VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the Claims:

Claim 1 (amended). A method of routing in a data network,
which comprises:

receiving a data packet by a network node in [a] the network;

assigning a first piece of information contained in the data
packet to a second piece of information available to the
network node;

determining, with the network node, a route for the data
packet through the network to a destination address by
determining at least one further network node through which
the route passes based on the information; and

passing on the data packet to a next network node on the determined route to [a] the destination address.

Claim 2 (amended). The method according to claim 1, which comprises uniquely determining the route of the data packet from the network node to a defined node of available nodes.

Claim 13 (amended). The method according to claim 1, which comprises providing an information service as the destination address, the information service being accessible by a user only after the user is registered in the service, and providing further information services accessible to the user at [one] the same time.

Claim 22 (amended). An apparatus for routing data packets in a data network, comprising:

a processor for receiving, processing, and passing on the data packets;

a first storage operatively connected to said processor for storing supplemental information relating to at least one of a user and services existing in the network;

a second storage operatively connected to said first storage for storing administrative information;

a mapper operatively connected to said first storage for determining a mapping of logic computer names on network addresses and vice versa; and

a router operatively connected to said processor for determining a route for each of the data packets, on the basis of information gathered from the data packets and the stored supplemental information, said router determining at least one node through which the route passes.

Claim 24 (amended). The apparatus according to claim 22, including a server having access to [accessible by] said first storage [and] including at least one of authentication data, access data, and charge data.